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June 1, 2020

By ECF

Honorable Steven M. Gold
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Telesford v. NYC DOE, et al.,
16 Civ. 819 (CBA) (SMG)
Our No. 2016-008526

Dear Magistrate Judge Gold:

I am the Assistant Corporation Counsel assigned to represent the sole remaining defendant in the above-referenced action, the New York City Department of Education ("DOE"). Per Your Honor's minute entry order dated April 3, 2020, the undersigned writes to inform the Court that further settlement negotiations are unlikely to be fruitful and to propose that a pre-motion conference be held on June 23, 2020. Plaintiff consents to this date.

The Court previously held a pre-motion conferenceⁱ on July 19, 2019, at the conclusion of which Judge Amon ordered that the parties make further attempts at settlement. See Minute Entry Pre-Motion Conference, Dated July 19, 2019. The parties met with Your Honor on November 7, 2019 for a settlement conference, which was unsuccessful. See Minute Entry for Settlement Conference, ECF Dkt. No. 69. The Court ordered further discovery and that at the conclusion of the further discovery, the parties either request a further settlement conference or in the alternative propose a date for a pre-motion conference. Id. at Dkt. No. 69.

The parties completed discovery and requested an extension of time to explore whether settlement would be a possibility. See Motion for Extension of Time to File Document, ECF Dkt. No. 71. The Court granted that request on April 3, 2020. As the parties have decided that settlement is unlikely in this matter, the parties respectfully propose that a pre-motion conference with Judge Amon be held on June 23, 2020, or at another date convenient to the Court.

HONORABLE STEVEN M. GOLD

United States Magistrate Judge

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Thank You for Your consideration of this request.

Respectfully submitted,

/s/

Mark R. Ferguson

Senior Counsel

Cc: Daniel E. Dugan
(By ECF)

ⁱ Defendant filed a pre-motion letter on June 13, 2019 (ECF Dkt. No. 62) setting forth the basis for the proposed summary judgment motion.